

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

EDWARD DONALD BURLEY,

Plaintiff

Case No. 2:18-CV-12239

District Judge George Caram Steeh

Magistrate Judge Anthony P. Patti

v.

MICHELLE WILLIAMS,
RANDALL HAAS,
GEORGE STEPHENSON,
UNKNOWN JENKINS-GRANT,
ARUS S. WILLIAMS, *et al.*

Defendants.

/

**ORDER (1) GRANTING PLAINTIFF'S REQUEST FOR A
CONTINUATION OF THE STAY ENTERED ON MARCH 1, 2021 (ECF
No. 74); and, (2) DENYING PLAINTIFF'S MARCH 31, 2021 MOTION (ECF
No. 75) TO ENFORCE THE OCTOBER 26, 2020 TEXT-ONLY
SCHEDULING ORDER DEADLINES**

To date, multiple discovery related orders have been entered in this case. (ECF Nos. 18, 47, & 64.) In the latest such order, entered on October 26, 2020, I set the discovery deadline for March 15, 2021 and the dispositive motion cut-off for April 15, 2021. Currently before the Court is Plaintiff's March 31, 2021 motion for the Court to enforce these dates. (ECF No. 75.) Also before the Court is the status of the stay entered on April 12, 2021, which was done to accommodate Plaintiff until he had the access he needed to engage in this litigation. (ECF No. 74, PageID.768.)

In June 2021, the parties updated the Court. (ECF Nos. 76, 77.) I noticed a video status conference for August 4, 2021, at which Plaintiff (assisted by an ASL Interpreter) and Assistant Attorney General O. G. Joseph Paul Reasons appeared. (ECF No. 78.) Along with conducting a status conference, the Court made several rulings.

Upon consideration, and for all of the reasons stated on the record by the Court, which are hereby incorporated by reference as though fully restated herein, Plaintiff's request for a continuation of the stay entered on March 1, 2021 (*see* ECF No. 74) is **GRANTED** as follows:

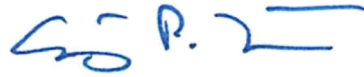
- This case is **STAYED** for an additional ninety (90) days. Plaintiff is currently located at ICF, allegedly at a security level that impedes his access to a legal writer and the law library. Plaintiff shall inform the Court promptly if there is a significant improvement in circumstances that permits recommencement of pretrial proceedings.
- Plaintiff expects to be transferred in the near future. *See Burley v. Williamson, et al.*, Case No. 2:16-cv-10712-GCS-PTM (E.D. Mich.). Plaintiff shall inform the Court promptly if there is any change in his contact information, including location. *See* E.D. Mich. LR 11.2 ("Failure to Provide Notification of Change of Address").
- Withing **twenty-one (21) days** of the stay being lifted, the remaining Defendants shall serve responses to Plaintiff's outstanding discovery requests. Until that happens, Plaintiff may not be deposed.
- Plaintiff will sit for a deposition, but Defendants must provide at least **ten (10) days notice**. *See* Fed. R. Civ. P. 30(b)(1) ("Notice in General.").

- The parties are hereby notified that the Court will conduct another video status conference on **Thursday, November 4, 2021 at 10 a.m.**

Additionally, Plaintiff's March 31, 2021 motion (ECF No. 75) to enforce the October 26, 2020 text-only scheduling order deadlines is **DENIED**, based on the Court's January 6, 2021 order (ECF No. 72, PageID.743-744). These rulings strike a balance between Plaintiff's request for a delay – to accommodate the alleged impediments upon his ability to litigate – and making some progress with discovery.

IT IS SO ORDERED.¹

Dated: August 5, 2021



Anthony P. Patti
UNITED STATES MAGISTRATE JUDGE

¹ The attention of the parties is drawn to Fed. R. Civ. P. 72(a), which provides a period of fourteen (14) days after being served with a copy of this order within which to file objections for consideration by the district judge under 28 U.S.C. § 636(b)(1).